3

LCW'S PROPOSED EDITS TO BEHAVIORAL STANDARDS FOR COUNCILMEMBERS

City of Santa Clara
PROGRAM IN ETHICS & VALUES

BEHAVIORAL STANDARDS FOR CITY COUNCIL MEMBERS[1]

INTRODUCTION

Ten years ago, the City of Santa Clara began its ethics and values program to foster public trust by promoting and maintaining the highest standards of personal and professional conduct. Since the adoption of the Code of Ethics & Values in 2000, the City Council has promised the people of Santa Clara that Council Members, all elected and appointed officials, candidates for public office, and City Staff will meet the most demanding ethical standards and demonstrate the highest levels of achievement in practicing eight core values identified in the Code.

Those values, which are fundamental to public trust, were adopted to guide the decisions and actions of individual Council Members and the Council as a whole. City Council and City Staff have worked hard to integrate these values into the everyday operating culture of City Hall. The City has conducted extensive outreach to residents encouraging them to hold public officials accountable at the ballot box for being credible role models for these values, in word and in deed, in public or in private.

To help the Council make these values real in their regular work with the City, the Code describes for each value a basic set of character traits and actions residents can expect to see Council Members meet and exceed.

This document translates these traits and actions into concrete behavioral standards for the City Council. These standards describe what impeccable leadership ethics looks like in the everyday work of the Council. They reflect commonly accepted "best practices," rather than specific issues or problems the Council has faced. The list seeks to include enough positive behaviors to practice (and negative behaviors to avoid) that a reasonable person can assess how credible he or she is as a role model and ethical leader.

This information is presented in four columns. Columns 1 and 2 reproduce the approved Code of Ethics. Columns 3 and 4 list the behavioral standards.

---

[1] This document is based on the *Behavioral Standards for Commissioners, Boards, and Other Appointed Officials,* developed during 2000-2002, and approved by the City Council in February 2003. A representative committee of Board Members and Commissioners, working with the City's initial Ethics Ordinance Committee, drafted that document. It was then revised based on extensive feedback from all Board Members, Commissioners, and Staff Liaisons. In a working session in April, 2008, the Council used that document to develop the first draft of its own standards The City's Ethics Consultant, Dr. Tom Shanks, and City Staff drafted the final version for City Council review on May 6, 2008.
Approved by City Council on May 20, 2008.

City of Santa Clara
PROGRAM IN ETHICS & VALUES

BEHAVIORAL STANDARDS FOR CITY COUNCIL MEMBERS

The Code of Ethics & Values		Behavioral Standards	
1 **City** **Core Value**	**2** **Basic Actions and** **Character Traits**	**3** **Council Members Engage in** **Positive Behaviors Like**	**4** **Council Members Avoid** **Negative Behaviors Like**
As a Santa Clara representative, I will be:			
Ethical	*I am trustworthy, acting with the utmost integrity and moral courage*	• Making careful decisions, advancing the best long--term interests of the City, after considering all available facts, City Staff recommendations, and public comment	• Making hasty, ill-informed decisions based on politics, bias, faulty assumptions, prejudice, self-interest, gossip, and half-truths
		• Voting my honest conviction, explaining my ethical reasoning, respecting the minority, and upholding the majority as the decision of the Council	• Promising my vote before facts are known in order to gain favor with a crony, endorser, lobbyist, or special interest
		• Vigorously debating an issue, listening carefully to hear all sides, making my best judgment call, even if it's not popular, and taking responsibility for my actions	• Saying whatever the vocal public wants to hear, dodging criticism of an unpopular vote, shifting the blame to the majority, other members, or City Staff
		• Preparing to vote by assessing how various options advance or harm the best interests of the City as well as the City's Mission and Core Values, working to minimize any harm	• Always taking the short-term view, representing few stakeholders, believing ethics and City values have no bearing on decisions
		• Finding an imaginative solution that is in the best interests of the City, is fair, respects individual rights and the Council's duties, and advances City values	• Saying and doing whatever it takes, no holds barred, to advance one's personal position, power, influence or political career

The Code of Ethics & Values		Behavioral Standards	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
Ethical (continued)	*I am truthful, do what I say I will do, and am dependable*	• Giving complete, factual, unbiased information to colleagues, public, and the press	• Concealing, fabricating, overstating, under-stating, or denying the truth; spinning the truth; leaving out context
		• Making promises to the public, City Staff, and Council members which can be kept and do not exceed the authority of any individual Council Member	• Promising more than can be delivered, over-extending oneself, or taking sole credit for the work of the Council and others
	I make impartial decisions, free of bribes, unlawful gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or action	• Seeking advice from the City Attorney and City Manager when confronting a real or potential conflict of interest, and making a full public disclosure when the Council considers the agenda item	• Helping a friend get *a* project through the Council in return for *a* donation to a campaign fund, school or charity, or the gift of tickets or another perk
		• Having declared a conflict, leaving the dais and Council Chambers, so other Council members are free of any undue influence	• Talking to fellow Council Members prior to declaring a conflict, and asking them to take care of the item in a way that advances personal interests
	I am fair, distributing benefits and burdens according to consistent and equitable criteria	• Listening attentively to all sides, keeping an open mind and avoiding even the appearance of bias, following precedents consistently, treating equals equally	• Paying more attention to friends' and supporters' projects • Making "back room" deals and decisions • Giving preferential treatment to special interests, consultants, and former Council Members

The Code of Ethics & Values		Behavioral Standards	
1 **City** **Core Value**	**2** **Basic Actions and** **Character Traits**	**3** **Council Members Engage** **in Positive Behaviors** **Like**	**4** **Council Members Avoid** **Negative Behaviors** **Like**
Ethical (continued)	*I extend equal opportunities and due process to all parties in matters under consideration. If I engage in unilateral meetings and discussions, I do so without making voting decisions*	• Being available to anyone who wants to discuss an issue, keeping an open mind and not committing to vote for or against an item until after hearing the full public discussion	• Promoting the interests of the business community without first considering the interests of all stakeholders • Giving special treatment to the companies that pay the most in taxes and to my largest campaign donors
		• Referring media questions on Closed Session or other confidential matters to the City Manager's Office, rather than saying "No Comment"	• Telling others about Closed Session proceedings, especially when it is an important issue and I want input on how to decide • Confirming a rumor, remaining silent, communicating non-verbally, or in other ways providing information that is confidential or that the Council Member has promised not to reveal
		• Treating the public and City Staff, at all times, the way I treat highly regarded colleagues in businesses or professions	• Acting based on stereotypes, rumors, "ancient history," and prior negative experiences with an individual or groups
		• Bringing to the attention of the City Manager any concern about the actions or work of City Staff, or any complaint from the public	• Criticizing or embarrassing the City Manager or other City Staff in public • Failing to publicly recognize extraordinary City Staff work

The Code of Ethics & Values		Behavioral Standards	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
Ethical (continued)		• Showing courtesy and interest in word and action to City Staff, public, and elected and appointed officials	• Complimenting the work of a single City Staff member when a staff team actually did the work
		• Speaking and acting out of the belief that City Staff and all members of the Council are on the same team and committed to doing their best to serve residents	• Engaging publicly or privately in personal verbal attacks against Council colleagues or City Staff; interrupting while they are speaking, rolling eyes, demeaning them, or in other ways treating them inappropriately
Professional	*I use my title(s) only when conducting official City business, for information purposes, or as an indication of background and expertise, carefully considering whether I am exceeding or appearing to exceed my authority*	• Using City titles for identification at League meetings or when on other official City business, or when seeking information directly related to a Council matter from appropriate sources	• Using a City title when making dinner reservations or making purchases • Referring friends to City businesses and suggesting they mention the name of a Council Member to get the best prices
	I apply my know-ledge and expertise to my assigned activities and to the interpersonal relationships that are part of my job in a consistent, confident, competent, and productive manner	• Preparing by reading the agenda packet before meetings • Asking the City Manager informational questions ahead of time to assist in being prepared • Arriving on-time to meetings, paying attention and listening actively	• Rushing into meetings late and being obvious about opening the agenda packet for the first time or speed-reading the packet while City Staff or the public are presenting information

The Code of Ethics & Values		Behavioral Standards	
1 **City** **Core Value**	**2** **Basic Actions and** **Character Traits**	**3** **Council Members Engage in** **Positive Behaviors Like**	**4** **Council Members Avoid** **Negative Behaviors Like**
Professional *(continued)*		• Asking questions that will advance the discussion, contribute to decision-making, and have not been covered in the agenda packet	• Taking no notes, remembering little, if any, of the information in the agenda packet, asking to have information repeated constantly
		• Listening attentively to the public, City Staff, and other Council members who may speak at meetings	• Making little or no eye contact with any speaker during the meeting • Leaving during public comment and returning only after it is over • Making comments to someone else while the public is speaking
	I approach my job and work-related relationships with a positive attitude	• Approaching Council work informed of issues, enthusiastic, energized, interested, ready to participate, and focused	• Approaching Council work half-heartedly, coming to meetings eager to leave • Short-circuiting a discussion; being perceived as rude by other Council Members, City Staff, or the public
		• Making guests feel welcomed at meetings • Treating new Council Members as colleagues, encouraging them to express their opinions, and offering them positive feedback	• Acting in a superior manner with newly elected Council members • Never making time to be responsive to residents who want to discuss issues
	I keep professional knowledge and skills current and growing	• Making it a priority to attend League meetings, Electric Joint Powers Agency meetings, and committees	• Assuming there is nothing new to learn • Going to League meetings and conferences to be seen, but never attending any training

The Code of Ethics & Values		Behavioral Standards	
1 **City Core Value**	2 **Basic Actions and Character Traits**	3 **Council Members Engage in Positive Behaviors Like**	4 **Council Members Avoid Negative Behaviors Like**
Professional (continued)		• Reading background materials for general preparation including professional journals, books, and articles	• Skipping meetings with the City Manager, assuming you know as much, if not more, than she does on this issue
Service-Oriented	*I provide friendly, receptive, courteous service to everyone*	• Not just answering questions, but sharing helpful knowledge of Council or government functions, even if the person asking isn't sure what they need to know	• Acting like it's a bother anytime a resident asks a question or when they make inquiries about Council/government business
		• Seeking the opinions of those who are hesitant or unwilling to come forward with their ideas, but trying not to force anyone to speak in a public forum if they are uncomfortable or unprepared	• Making guests or others feel stupid, intimidated, dismissed, manipulated, or demeaned by reading the newspaper, falling asleep, laughing at a private joke with another Council Member, or repeatedly leaving the room during discussions
	I am attuned to, and care about, the needs and issues of residents, public officials, and city workers	• Talking with residents and actively listening at City gatherings to be aware of what is going on in this community and other communities	• Being arrogant or uninterested when responding to residents outside of City Hall about their concerns and debating with them to prove them wrong or misinformed
		• Attending City events and interacting effectively with the public, aware that others expect Council Members to be role-models	• Showing up late to City events, leaving early, and spending most of the time talking only to one or two friends

The Code of Ethics & Values		Behavioral Standards	
1 **City** **Core Value**	**2** **Basic Actions and** **Character Traits**	**3** **Council Members Engage in** **Positive Behaviors Like**	**4** **Council Members Avoid** **Negative Behaviors** **Like**
Service-Oriented *(continued)*		• Relaying things heard or provided to the Council or the City Manager or other appropriate parties for follow-up	• Withholding important information to use it for narrow personal purposes at a later time
	In my interactions with constituents, I am interested, engaged, and responsive	• Acting in a pleasant and friendly manner and encouraging people to speak their mind; welcoming constructive criticism as well as compliments	• Through word and action, discouraging people from proposing what they believe are solutions or expressing their concerns
		• Focusing on the speaker and trying to see the world as they do in order to understand their needs	• While seeming to be engaged in one conversation, scanning the environment for someone more interesting or important to speak with; abruptly stopping the previous conversation to speak with the more important person
Fiscally Responsible	*I make decisions after prudent consideration of their financial impact, taking into account the long- term financial needs of the City, especially its financial stability*	• Before deciding how to vote, reviewing cost/benefit analysis and all related studies, along with City Staff recommendations	• Allowing other Council members who have more expertise in budgeting to take the lead in budget discussions, trusting that they know better, and never improving personal expertise
		• Consider the City's short and long term financial condition prior to proposing new or expanded City projects	• Ignoring the constraints of the City budget when making decisions • Citing "budget constraints" as the reason for not supporting a motion, when the real reason is how it will look in the next election

The Code of Ethics & Values		Behavioral Standards	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
Fiscally Responsible (continued)	*I demonstrate concern for the proper use of City assets (e.g., personnel, time, property, equipment, funds) and follow established procedures*	• Allocating resources according to the City's plan and in compliance with the law and the City's goals to provide residents with a better environment in which to live	• Taking advantage of any opportunity to get something "free" from the City • Seeking discounts from the City's vendors solely because of my position
		• Using City equipment only for Council work, not for personal use or for my business	• Coming to City Hall regularly and asking City Staff to make just a few copies for personal use
		• Respecting City Staff time and being especially careful to ask the City Manager to take on special research or other projects only if convinced that this work is critical and necessary for the Council to better serve the needs of residents	• Asking a lot of questions that focus on non substantive details, being unable to separate what's important from what's not
		• Representing the public's interests to the best of my ability • Balancing long-term impacts and short- term goals	• Acting as if I "own" the City or my seat on the Council
	I make good financial decisions that seek to preserve programs and services for City residents	• Being fully aware of and understanding the approved City budget, having solicited explanations from the City Manager, if necessary	• Taking as many trips as possible at the City's expense because of a personal feeling that the compensation is not sufficient and some reward for City work is deserved

The Code of Ethics & Values		Behavioral Standards	
1 **City** **Core Value**	**2** **Basic Actions and** **Character Traits**	**3** **Council Members Engage in** **Positive Behaviors Like**	**4** **Council Members Avoid** **Negative Behaviors** **Like**
Organized	*I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long-term goals*	• Being cognizant of the importance of scarce meeting time and preparing accordingly, with the result that the Council spends time on the important issues and deals efficiently with other issues	• Relying solely on prior knowledge and spending *a* great deal of the Council's time proving to everyone how much I know on all issues, large and small
	I follow through in a responsible way, keeping others informed, and responding in a timely fashion	• Sharing my research and experience with others on the Council, making worthwhile contributions and welcoming alternative viewpoints	• Using hear-say from *a* third party as the sole basis for making *a* decision
		• Returning phone calls and email promptly, if at all possible; if unable, letting the person know when to expect a response	• Failing to acknowledge receipt of requests for information • Responding only to people who can help with personal political goals • Eventually getting around to sending information, but never in a timely manner
	I am respectful of established City processes and guidelines	• Participating fully in orientation sessions and other sessions in order to understand how the City's policies and procedures impact the effectiveness of the Council	• Criticizing City policies in public without first expressing concerns to City Staff or gaining knowledge necessary in order to offer constructive criticism
		• Helping to establish reasonable timetables and then following them • Being flexible in setting meeting dates and times	• Ignoring deadlines, not keeping people informed, and making excuses which damage public trust

The Code of Ethics & Values		Behavioral Standards	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
Organized (continued)		• Being able to explain to residents, businesses, and visitors how the City's policies and procedures are examples of the City's Core Values in practice	• Being cynical about policies and cavalier about following procedures because of a failure to see how these are related to fairness and the common good
Communicative	*I convey the City's care for and commitment to its residents*	• Being able to explain the City's goals to anyone and describe personal commitment to them • Supporting superb, affordable City services and conveying that commitment effectively to residents	• Plotting and scheming to accomplish personal agendas • Deciding how you will vote and writing out those reasons prior to any public comment • Becoming angry at a resident who is critical of the Council
	I communicate in various ways that I am approachable, open-minded and willing to participate in dialog	• Being available to the public in person, at events, and through telephone and written correspondence to provide both answers to questions and dissemination of important information	• Confusing residents, spreading rumors and gossip, or slandering elected or appointed officials, City Staff, or anyone • Interrupting someone who has the floor
		• Listening attentively, being open to multiple perspectives, and allowing the possibility of changing opinions and points of view	• Listening solely to find flaws, to spot differences, and to counter arguments • Going out of my way during meetings to show why I am always right and others are not
		• Making it a practice to communicate equally well to all stakeholders, regardless of their influence, power, or campaign donations	• Dominating meetings and asking many more questions than time allows, effectively excluding the input of others

The Code of Ethics & Values		Behavioral Standards	
1 **City** **Core Value**	**2** **Basic Actions and** **Character Traits**	**3** **Council Members Engage in** **Positive Behaviors Like**	**4** **Council Members Avoid** **Negative Behaviors** **Like**
Communicative (continued)	*I engage in effective two-way communication, by listening carefully, asking questions, and determining an appropriate response which adds value to conversations*	• During meetings, giving residents and others the benefit of the doubt and listening to identify needs and interests • Asking questions to clarify, to understand, and to augment, in order to hear the truth as the resident sees it • Making the best decision to advance the community's values and goals	• Considering people on the other side of issues as enemies, rather than as colleagues or fellow residents • Weakening public debate by belittling or mocking someone's viewpoint • Demonizing anyone who disagrees with a personal conviction or viewpoint
Collaborative	*I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding*	• Submitting one's best thinking, respecting all other participants and inviting their thoughts in order to develop better solutions • Seeing value in working with other agencies to develop consistent policies, where appropriate	• Describing people who hold different viewpoints as "them" • Failing to recognize personal biases, prejudices, stereotypes, and their influence on language and attitudes toward residents and others
	I work towards consensus building and gain value from diverse opinions	• Approaching meetings and discussions assuming that many people have pieces of answers and that cooperation will lead to workable solutions for the most difficult problems	• Approaching discussions as if there's already *a* single right answer that needs to be defended against opposing viewpoints
	I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team	• Understanding that what I do speaks more loudly than what I say • Showing respect for Council Members, Staff, and residents by giving priority to my City commitment, doing my homework	• Focusing first on satisfying a personal or hidden agenda • Actively weakening the team that the Council and City Staff have devoted efforts to build

The Code of Ethics & Values		Behavioral Standards	
1 **City** **Core Value**	**2** **Basic Actions and** **Character Traits**	**3** **Council Members Engage in** **Positive Behaviors Like**	**4** **Council Members Avoid** **Negative Behaviors** **Like**
Collaborative *(continued)*		• Understanding that each Council decision either builds public trust or detracts from it	• Dismissing any idea proposed by a Council colleague who supported someone else in the last election
		• Working hard to develop among Council Members, other officials, City Staff, and the public a kindred spirit of cooperation when working toward implementing City values	• Reaching conclusions based on satisfying personal or special interests and refusing to change one's position despite good reasons to reconsider • Holding grudges and considering some people as permanent enemies
	I consider the broader regional and State-wide implications of the City's decisions and issues	• While serving on County-wide committees, acting in a professional manner and approaching the tasks responsibly	• Making derogatory remarks about other cities, feeling that Santa Clara is superior
		• Serving on County or State-wide panels, freely sharing information and resources so everyone may benefit from the City's experience	• Having tunnel vision and ignoring anything beyond the City, depriving the City of the benefit of a broader, regional perspective

The Code of Ethics & Values		Behavioral Standards	
1 **City** **Core Value**	**2** **Basic Actions and** **Character Traits**	**3** **Council Members Engage in** **Positive Behaviors Like**	**4** **Council Members Avoid** **Negative Behaviors** **Like**
Progressive	*I exhibit a proactive, innovative approach to setting goals and conducting the City's business*	• Contributing personal experiences and expertise to advance the goals of the Council and the City as a whole • Anticipating future problems or opportunities, raising the issues at the appropriate time for City Staff to investigate and for Council to consider	• Being dogmatic in approaching decision-making and only doing things the way they've always been done • Never taking a forward looking, principled or values-centered stand, but preferring to solve issues in an ad hoc manner • Focusing on the short term, being concerned only about meeting minimum requirements of law, politics, or efficiency
	I display a style that maintains consistent standards, but is also sensitive to the need for compromise, "thinking outside the box," and improving existing paradigms when necessary	• Being able to explain how a decision is consistent with ethical standards and the City's Core Values • Committing to ongoing improvement, progressive government, and moral imagination in solving problems	• Lying about personal mistakes and downplaying their importance • Manipulating discussions and decisions to advance personal, political aspirations • Speaking and listening only to one's friends on the Council
		• Taking responsibility for actions, making appropriate apologies or restitution when a mistake is made, and implementing a plan to develop practical skills to avoid such mistakes in the future • Actively listening, asking clarifying questions, and giving careful consideration to all	• Holding on to opinions and viewpoints so stubbornly that mistakes are made, impacting public trust • Letting personal limitations impede progress or the work of the Council • Playing the role of pessimist whenever a new idea is presented, trying to bulldoze personal ideas

The Code of Ethics & Values		Behavioral Standards	
1 **City** **Core Value**	**2** **Basic Actions and** **Character Traits**	**3** **Council Members Engage in** **Positive Behaviors Like**	**4** **Council Members Avoid** **Negative Behaviors** **Like**
Progressive ***(continued)***		comments and viewpoints, even if they are expressed by people who think differently, have different beliefs, and have different groups of supporters	despite budget limitations, prior agreement, or consensus, and undermining new ideas by gossiping with others before the idea has a chance to be explored
	I promote intelligent and thoughtful innovation in order to forward the City's policy agenda and City services	• Encouraging talented and diverse individuals to become involved in City service, as well as recognizing and celebrating talent and new ideas that help the City reach its goals, improve City services, and implement City Core Values in best practice	• Pushing change in the City without ample thought, and causing change only for the sake of change, or only to fulfill a campaign promise